

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Servants – Education (SE) Department – Allegation of corruption against Sri Locherla Uma Maheswara Rao, Head Master, Z.P.H.School, Chandrampalem and M.E.O.(FAC), Pendurthi Mandal, Visakhapatnam – Trapped on 02.12.2009 – Sanction of prosecution – Orders – Issued.

EDUCATION (SE – Vig.I) DEPARTMENT

G.O.Ms.No. 34.

Dated: 06.07.2010.

ORDER :

Whereas, Sri Locherla Uma Maheswara Rao worked as Head Master, Zilla Parishad High School, Chandram Palem, Visakhapatnam from 21.08.2005 to 3.12.2009 and Mandal Education Officer (FAC), Pendurthy from 1.7.2009 to till 3.12.2009 and by virtue of post held by him, he falls under the category of Public Servant as defined under section 2 (c) of the Prevention of Corruption Act, 1988 (Act No.49 of 1988) ;

2. And whereas, Sri M.Sattibabu has been working as Secondary Grade Teacher in Mandal Praja Parishad School, Musalaiah palem village of Pendurthy (M). He is also holding the post of District Secretary, APTF (1938) of Visakhapatnam. As per the G.O.Ms.No.15, Education Department, dated 26.01.2009, a teacher who has served 8 years in a particular place, has to be transferred out. Even though, Smt. B.Vijaya Lakshmi, Secondary Grade Teacher, Mandal Praja Parishad School, Gudlanavani palem, Chinagadili (M) completed 8 years by the year 2005, she was not relieved till 2009 as several issues were pending in the court. After seeking clarifications from the Government, the District Educational Officer, Visakhapatnam, in Rc.No.3537/B6/2005, dated 25.09.2009, issued orders and transferred Smt. B.Vijaya Lakshmi and posted to MPP School, Kothapolavaram, S.Rayavaram (M) and directed Sri L.Uma Maheswara Rao, Mandal Education Officer, Pendurthy, to relieve her. But, even after lapse of two months, Sri L.Uma Maheswara Rao, M.E.O., did not relieve her. So, Sri M.Sattibabu, as a leader of Teacher's Union, met Sri L.Uma Maheswara Rao, M.E.O., several times and asked him why the teacher was not being relieved, and defying government policy and denying the privilege of the teacher, who worked in rural area. Finally, on the morning of 1.12.2009, the Sri M.Sattibabu met Sri L.Uma Maheswara Rao, M.E.O., and requested him to relieve Smt. B.Vijaya Lakshmi. On that, Sri L.Uma Maheswara Rao, M.E.O., stated that he would relieve her, if an amount Rs.5000/- is paid to him. Sri M.Sattibabu questioned the act of Sri L.Uma Maheswara Rao, M.E.O., for demanding money for implementing the orders of the Government. On that, Sri L.Uma Maheswara Rao, M.E.O., informed that unless and until the demanded money is paid, he would not relieve B.Vijaya Lakshmi. When, Sri M.Sattibabu expressed his inability to give that much of amount, Sri L.Uma Maheswara Rao, M.E.O., asked him to bring at least Rs.3000/-, his work would not be done. Sri M.Sattibabu, reluctantly agreed and stated he would come again within one or two days. Since the complainant was not willing to give the bribe amount to get his work done, he preferred a complaint against Sri L.Uma Maheswara Rao, M.E.O., for taking necessary action ;

3. And whereas, it was further alleged that during the course of trap on 02.12.2009 at about 12.55 hours when Sri M.Sattibabu approached Sri L.Uma Maheswara Rao at his office ZPH School, Chandrampalem, he further demanded and accepted Rs.3,000/- from Sri M.Sattibabu during the transit from ZPH School, Chandrampalem to Spice Dhabha, and kept in his left side shirt pocket;

(p.t.o.)

4. And whereas, the tainted currency of Rs.3,000/- was recovered from left side shirt pocket of Sri. L.Uma Maheswara Rao. Right hand fingers and the inner portion of the left side shirt pocket of Sri L.Uma Maheswara Rao, when subjected to chemical test, was yielded positive result. The tainted cash of Rs.3000/- seized from left shirt pocket of L.Uma Maheswara Rao and the connected records were seized from the O/o Head Master, ZPH School and O/o MEO, Pendurthy;

5. And whereas, the aforesaid acts of Sri Locherla Uma Maheswara Rao, Head Master, ZPH School, Chandrampalem and M.E.O (FAC), Pendurthy Mandal, Visakhapatnam, constitute offences under section 7, 13(2) r/w 13(1)(d) of Prevention of corruption Act, 1988 (Central Act 49 of 1988) ;

6. And whereas, Government of Andhra Pradesh being the competent authority to remove Sri Locherla Uma Maheswara Rao, Head Master, ZPH School, Chandrampalem and Mandal Educational Officer(FAC), Pendurthy Mandal, Visakhapatnam, from Government service, after fully and carefully examining the material viz., copy of FIR, copies of statements of witnesses, copies of documents and other material placed before them in respect of the said allegation and having regard to the facts and circumstances of the case, consider that Sri Locherla Uma Maheswara Rao, Head Master, ZPH School, Chandrampalem and Mandal Educational Officer(FAC), Pendurthy Mandal, Visakhapatnam, should be prosecuted in a court of law for the aforesaid offences;

7. Now, therefore, in exercise of the powers conferred by clause (b) of the subsection (1) of Section 19 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988) the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri Locherla Uma Maheswara Rao, Head Master, ZPH School, Chandrampalem and Mandal Educational Officer(FAC), Pendurthy Mandal, Visakhapatnam, for the aforesaid offences punishable under sections 7 & 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988 (central Act 49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(Dr.D.SAMBASIVA RAO)
SECRETARY TO GOVERNMENT (SE)

To
The Director General, Anti-Corruption Bureau, Hyderabad.

//Forwarded :: By orders//

Section Officer